

been added with no new matter being added thereby. Applicants request reconsideration and reexamination of the pending claims.

Applicant conducted a telephone interview with the Examiner on November 28, 2001 and again on December 4, 2001. In the interviews, it was decided that amendments to the independent Claims 1 and 15 which provide for features shown in the embodiment shown in Applicants' FIG. 4E, would place the claims in condition for allowance over the cited references.

Applicants have amended Claims 1 and 15 to include the features of FIG. 4E. Applicants submit that some of the features in Claims 1 and 15 as amended were originally included in the scope of Claims 3 and 4. Thus, the scope of the amendments has been previously examined. Accordingly, Claims 1 and 15 are allowable over the cited references.

New Claims 22-27 have been added to depend from Claim 15 to include subject matter which has been previously examined with respect to Claim 1.

Claims 2, 5, 6, 8-11, and 13-14 depend from Claim 1 and are allowable for at least the same reasons as Claim 1 as well as for the novel features which they add. Claims 16 and 22-27 depend from Claim 15 and are allowable for at least the same reasons as Claim 15 as well as for the novel features which it adds.

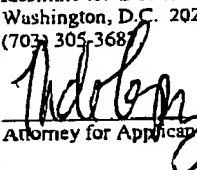
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CONCLUSION

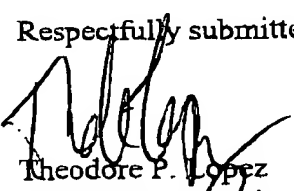
For the above reasons, pending claims 1, 2, 5, 6, 8-11, 13-16, and 22-28 are now in condition for allowance and allowance of the application is hereby solicited. If the Examiner has any questions or concerns, the Examiner is hereby requested to telephone Applicant's Attorney at (949) 718-5200.

I hereby certify that this correspondence is being transmitted via facsimile to: BOX AF, Commissioner of Patents and Trademarks, Washington, D.C. 20231, on December 6, 2001, to (703) 305-3687


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12/6/01
Date of Signature

Respectfully submitted,


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ATTACHMENT A

1. (Twice Amended) A device for supporting and positioning a neonate, the device comprising:

a conformable member; [and]

a plurality of support members; and

a fastening means including a plurality of hollow sleeves with an extended strip of material for coupling each of the hollow sleeves to a portion of the conformable member at coupling points inwardly spaced from edges of the conformable member, each hollow sleeve having an open end to insertably receive one of the plurality of support members [coupled to the conformable member], said fastening means allowing each support member to be [being] moveable between [from] a first position a first distance from said coupling point to a second position a second distance from said coupling point, said support members [when in said second position] providing support to said neonate when said neonate is placed on said conformable member to facilitate the re-positioning of the neonate.

Please cancel Claims 3 and 4.

5. (Amended) The device of Claim 1, wherein each of the extended strips of material [support members] is removably coupled to the conformable member.

Please cancel Claim 7.

8. (Amended) The device of Claim 1, wherein the plurality of support members comprises:

a transverse support member coupled substantially transversely along a head end of the conformable member; and

at least one lateral support member coupled substantially laterally adjacent to [along] a lateral edge of the conformable member.

9. (Amended) The device of Claim 1, wherein the plurality of support members comprises a pair of lateral support members coupled substantially [along] adjacent to

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opposing lateral edges of [, the pair of support members defining a torso area on] the conformable member.

Please cancel Claim 12.

13. (Amended) The device of Claim 1, wherein [movement of at least one of] the plurality of support members are configured to allow[s] the position of the neonate to vary from a first posture when in said first position to a second posture when in said second position.

15. (Twice Amended) A positioning device for positioning an infant, the device comprising:

a substantially conforming member;

a fastening device; and

at least two support members coupled using said fastening device to a portion of said conforming member at coupling points to define a torso area thereon, said fastening device including a plurality of hollow sleeves with an extended strip of material for coupling each of the hollow sleeves to a portion of the substantially conforming member at said coupling points inwardly spaced from edges of the conforming member, each hollow sleeve having an open end to insertably receive one of the plurality of support members.

each of said support members configured to be moved [being moveable] from a first position where said support members are positioned a first distance from said coupling points to a second position where said support members are positioned a second distance from said coupling points, movement of at least one support member configured to cause [capable of causing] the position of an infant [the neonate] to vary from a first posture to a second posture in response to the movement.

Please cancel Claims 17, 18, 19, and 21.

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